

11-23-01 A

BAKER BOTTS LLP

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U.S. PTO
JC966JC929 U.S. PTO
09/989856

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. A34772 (071308.0260)

First Inventor Ulrich Bungert

Title APPARATUS AND * see attached

Express Mail Label No. EF321682886US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 8]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description
- Claim(s) [Total Sheets 3]
 Abstract of the Disclosure [Total Sheets 1]
- Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
- Oath or Declaration [Total Pages]
- a. Newly executed (original or copy)
b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all necessary)*
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of *(when there is an assignee)* Attorney
11. English Translation Document *(if applicable)*
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) *(Should be specifically itemized)*
15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Prior application information: Examiner _____ Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	21003 <i>(Insert Customer No. or Attach bar code label here)</i>	or <input type="checkbox"/> Correspondence address below
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	Bradley B. Geist	Registration No. (Attorney/Agent)	27,551
Signature			Date 11/20/01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 740)

Complete if Known

Application Number	t/b/a
Filing Date	November 20, 2001
First Named Inventor	Ulrich Bungert
Examiner Name	t/b/a
Group Art Unit	t/b/a
Attorney Docket No.	A34772 (071308.0260)

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **02-4377**
Deposit Account Name **Baker Botts LLP**

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed:

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee (\$)	Fee (\$)		
740	370	Utility filing fee	740
330	165	Design filing fee	
510	255	Plant filing fee	
740	370	Reissue filing fee	
160	80	Provisional filing fee	
SUBTOTAL (1) (\$ 740)			

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
19	20 .. = 0	x _____	= 0
2	3 .. = 0	x _____	= 0
			= 0

Large Entity	Small Entity	Fee Description
Fee (\$)	Fee (\$)	
18	9	Claims in excess of 20
84	42	Independent claims in excess of 3
280	140	Multiple dependent claim, if not paid
84	42	** Reissue independent claims over original patent
18	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$ 0)		

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee (\$)	Fee (\$)		
130	65	Surcharge - late filing fee or oath	
50	25	Surcharge - late provisional filing fee or cover sheet	
130	130	Non-English specification	
2,520	2,520	For filing a request for ex parte reexamination	
920*	920*	Requesting publication of SIR prior to Examiner action	
1,840*	1,840*	Requesting publication of SIR after Examiner action	
110	55	Extension for reply within first month	
400	200	Extension for reply within second month	
920	460	Extension for reply within third month	
1,440	720	Extension for reply within fourth month	
1,960	980	Extension for reply within fifth month	
320	160	Notice of Appeal	
320	160	Filing a brief in support of an appeal	
280	140	Request for oral hearing	
1,510	1,510	Petition to institute a public use proceeding	
110	55	Petition to revive - unavoidable	
1,280	640	Petition to revive - unintentional	
1,280	640	Utility issue fee (or reissue)	
460	230	Design issue fee	
620	310	Plant issue fee	
130	130	Petitions to the Commissioner	
50	50	Processing fee under 37 CFR 1.17(q)	
180	180	Submission of Information Disclosure Stmt	
40	40	Recording each patent assignment per property (times number of properties)	
740	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
740	370	For each additional invention to be examined (37 CFR § 1.129(b))	
740	370	Request for Continued Examination (RCE)	
900	900	Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 0)

SUBMITTED BY

Name (Print/Type)	Bradley B. Geist	Registration No. (Attorney/Agent)	27,551	Telephone	(212) 408-2562
Signature				Date	11/20/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) OR 1.10*

(When using Express Mail, the Express Mail label number is mandatory; Express Mail Certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

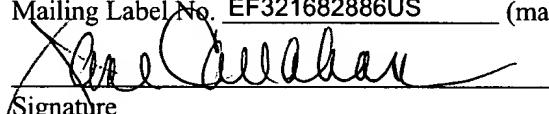
deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington D.C. 20231.

37 C.F.R. 1.8(a)

with sufficient postage as first class mail.

37 C.F.R. 1.10*

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Mailing Label No. EF321682886US (mandatory)


Signature

Jane Callahan
(type or print name of person certifying)

***WARNING:** *Each paper of fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing 37 C.F.R. 1.10(b). Since the filing of correspondence under § 1.10 without the Express Mail label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. "Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.*

BAKER BOTTS LLP

Att Docket #: A34772 (071308.0260)

Addendum Sheet 1***Question 4 Addendum**4.a. Drawings are formal informal*** Question 5 Addendum**5.c. An unsigned oath or declaration is included.*** Question 8 Addendum**8.d. A sequence submission will follow.*** Question 9 Addendum**9.a. Assignment documents will follow.9.b. Assignment documents have been filed in
parent application No.*** Question 11 Addendum**11.a. English translation will follow.*** Question 12 Addendum**12.a. Copies of IDS citations will follow.*** Question 15 Addendum**15.a. Certified copies of priority documents will follow.15.b. Certified copies of priority documents have been filed in parent
application No.

Use the space below for additional information

Title (continued):

APPARATUS AND METHOD FOR COMMISSIONING AND DIAGNOSING CONTROL
SYSTEMS

BAKER BOTTS LLP

Att Docket #: A34772 (071308.0260)

Addendum Sheet 2

18a. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____
Prior application information: _____ Examiner _____ Group Art Unit: _____

18b. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____
Prior application information: _____ Examiner _____ Group Art Unit: _____

18c. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____
Prior application information: _____ Examiner _____ Group Art Unit: _____

Amend the specification by inserting before the first line the sentence(s)

"This application is a Continuation Divisional Continuation-in-part (CIP) of:

"This application is based upon:

prior application No.: _____, incorporated by reference herein,

which is a Continuation Divisional Continuation-in-part (CIP) of:

which is based upon:

prior application No.: _____, incorporated by reference herein,

which is a Continuation Divisional Continuation-in-part (CIP) of:

which is based upon:

prior application No.: _____, incorporated by reference herein,

which is a Continuation Divisional Continuation-in-part (CIP) of:

which is based upon:

prior application No.: _____, incorporated by reference herein,

which is a Continuation Divisional Continuation-in-part (CIP) of:

which is based upon:

prior application No.: _____, incorporated by reference herein,

which is a Continuation Divisional Continuation-in-part (CIP) of:

which is based upon:

prior application No.: _____, incorporated by reference herein

Priority under 35.U.S.C. §119 is claimed based upon the following applications.

Foreign Applications:

Country: Germany Serial No: 100 647 98.7 Filing Date: 12/22/00

Country: Germany Serial No: 101 253 84.2 Filing Date: 5/23/01

Country: _____ Serial No: _____ Filing Date: _____

Provisional Applications:

Serial No: _____ Filing Date: _____

Serial No: _____ Filing Date: _____

Serial No: _____ Filing Date: _____